

SUBCHAPTER H [RESERVED] SUBCHAPTER I—MILITARY PERSONNEL

PART 881—DETERMINATION OF ACTIVE MILITARY SERVICE AND DISCHARGE FOR CIVILIAN OR CONTRACTUAL PERSONNEL

Sec.

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NOTE: This part is derived from the Air Force Regulations 30-45, 15 December 1983.

Part 806 of this chapter states the basic policies and instructions governing the disclosure of records and tells members of the public what they must do to inspect or obtain copies of the material referenced herein.

§881.1 Explanation of terms.

(a) *Active military service.* The same as in section 101, title 38, United States Code.

(b) *Applicant.* A person who applies for a discharge based on membership in a group determined by the Secretary of the Air Force to have performed active military service with the US Air Force or a predecessor organization. An application may be made on behalf of such a person, if he or she is deceased or mentally incompetent, by the spouse, next of kin, or legal representative.

(c) *Certified group.* A group that has been determined by the Secretary of the Air Force to have rendered service that constituted active military service.

(d) *Characterization of service.* A determination reflecting a member's behavior and performance of duty during a specific period of service. Under this part, service may be characterized as: (1) Honorable, or (2) Under Honorable Conditions (General Discharge).

(e) *Discharge.* Complete severance from the active military service on

which the application for discharge is based. Also, the assignment of a reason for such discharge and characterization of service.

(f) *Group.* An organization similar to the Women's Air-forces Service Pilots, and whose members rendered service to the Armed Forces of the United States in a capacity considered civilian employment or contractual service at the time such service was rendered.

§881.2 General guidance.

(a) *Group determinations.* Acting as the Executive Agent for the Secretary of Defense, the Secretary of the Air Force will determine whether the service rendered by a group shall be considered active military service for the purpose of all laws administered by the Veterans Administration.

(b) *Individual applications for discharge.* (1) Following the determination by the Secretary of the Air Force that the service of a group is considered active military service, individuals claiming to have been members of that group may apply for discharge to the appropriate military department. Applications made to the Department of the Air Force will be processed according to this part.

(2) If an applicant is determined to have been a member of a certified group, during the dates of its qualification, and the characterization of service is honorable or under honorable conditions, the Secretary of the Air Force or designee will issue a discharge certificate and a DD Form 214, Certificate of Release or Discharge From Active Duty, to the applicant.

§881.3 Application procedures.

(a) *Who may apply.* Any person who claims to be a member of a certified group may apply for discharge. An application may be made on behalf of such a person, if he or she is deceased or mentally incompetent, by the spouse, next of kin, or legal representative. Proof of death or mental incompetency, as appropriate must accompany such an application.

(b) *Where to apply.* An application for discharge from the Air Force may be sent to Headquarters Air Force Manpower and Personnel Center, Directorate of Manpower and Personnel Data Systems, Records Management Division, Airman Actions Branch, Boards and Correction Section (HQ AFMPC/MPCDOAI), Randolph AFB TX 78150.

(c) *How to apply.* (1) An application may be made using DD Form 2168, Application for Discharge of Member or Survivor of Member of Group Certified To Have Performed Active Duty With the Armed Forces of the United States, or in narrative form.

(2) Forms are available on request by writing to HQ AFMPC/MPCDOAI, Randolph AFB TX 78150, or to the National Personnel Records Center (NPRC), 9700 Page Boulevard, St Louis MO 63132.

(3) Applications should be as complete as possible. The burden of proof is on the applicant. The applicant should provide all available evidence to support a claim for membership in the group and to determine the character of service performed. The Individual Service Review Board will have available a copy of the report of the Advisory Panel to the DOD Civilian/Military Service Review Board, which may contain information pertinent to individual service.

(4) Documentation may include, but is not limited to, separation or discharge certificates, mission orders, identification cards, contracts or personnel action forms, employment records, education certificates, diplomas, pay vouchers, certificates of awards, casualty information, and any other supporting evidence of membership, or character of service performed.

(5) The Air Force will not provide representation by counsel for the applicant, nor will it defray costs of such representation under any circumstances.

(d) *When to apply.* There is no specific time for submitting an application for discharge.

§ 881.4 Application screening.

HQ AFMPC/MPCDOAI will acknowledge receipt of each application. The application will then be reviewed to see if it is proper and complete.

(a) An application that should be considered by another military department will be referred to that department, and the applicant will be sent a written notice or a copy of the referral letter.

(b) If the Secretary of the Air Force has not made a determination concerning the particular group in which an applicant claims membership, the applicant will be returned without prejudice. An application may be resubmitted after Secretarial determination that the group is certified.

(c) Applications made by a group (or individuals on behalf of a group) are not processed under this part. If such applications are received, they are to be referred to the Secretary of the Air Force, Manpower, Reserve Affairs and Installations, Personnel Council (SAF/MIPC). The Pentagon, Washington DC 20330, for further review.

(d) Incomplete applications will be returned to the applicant without prejudicing later consideration.

(e) All proper, complete applications will be referred to the Individual Service Review Board for further consideration.

§ 881.5 Individual Service Review Board.

(a) *Purpose.* The Individual Service Review Board is established by the Secretary of the Air Force at AFMPC to:

(1) Review applications for discharge under this part.

(2) Make findings of fact based on evidence submitted; and,

(3) Based on those findings, act further on the application as outlined in section 6 of this part.

(b) *Composition.* The Board consists of military members in grade lieutenant colonel or higher, and civilian members, grade GS-12 or higher, appointed by the Assistant Deputy Chief of Staff, Manpower and Personnel for Military Personnel (HQ USAF/MPC). Three members constitute a quorum. The senior member acts as Board chairperson. A nonvoting recorder keeps a record of the Board's actions concerning an application.

(c) *Administrative support.* The Directorate of Personnel Program Actions, Separation Programs and Procedures